

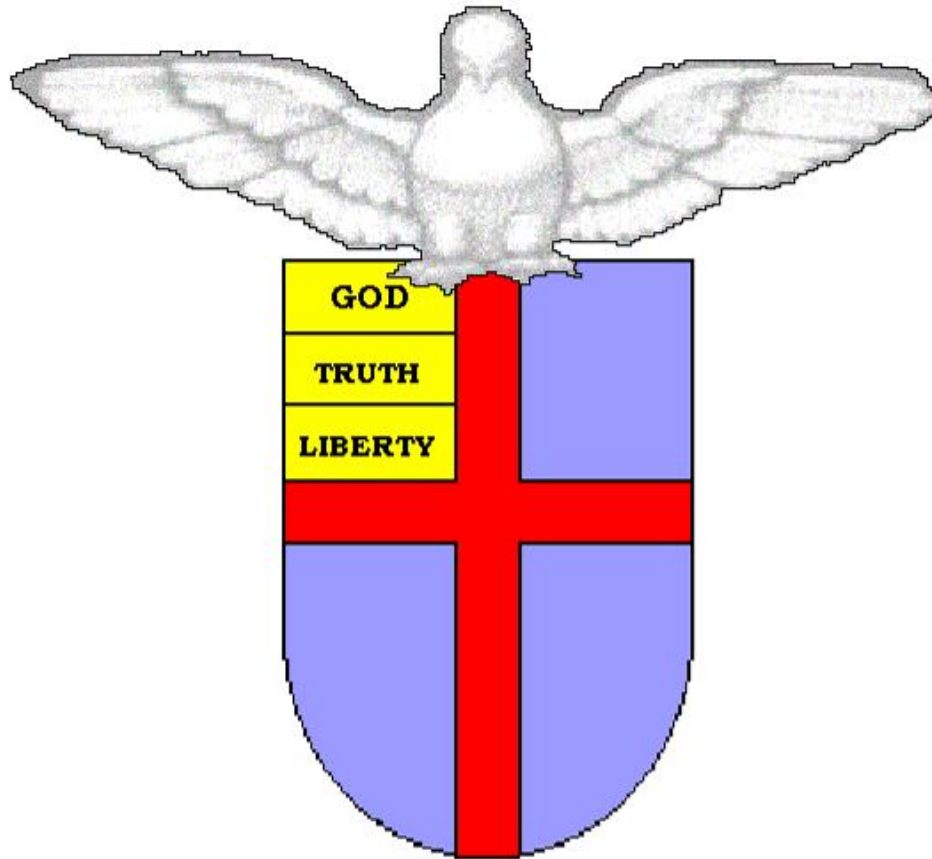
# ***Administrative State: Tactics and Defenses Form #12.041***

**by:**  
**Sovereignty Education and  
Defense Ministry (SEDM)**

**<http://sedm.org>**

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**S E D M**



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## Section 1:

# ***TACTICS***

# ***COURSE OUTLINE: Tactics***

- 1. Dedication**
- 2. Introduction**
- 3. Definition**
- 4. Two Types of Governments:**
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- 5. Main difference between two types of governments is approach towards constitution:**
  - 5.1 Everything not expressly AUTHORIZED is unconstitutional.**
  - 5.2 Everything not expressly PROHIBITED is allowable.**
- 6. Two Types of Governments: Tabular Comparison**
- 7. Goals of the administrative State: Collectivism and destruction of all INDIVIDUAL Constitutional rights:**
  - 7.1 Convert all PRIVATE property to PUBLIC property.**
  - 7.2 Refuse to recognize PRIVATE property or PRIVATE rights.**
  - 7.3 Interfere with enforcement of Bill of Rights and Common Law and replace them with franchise statutes**



# ***COURSE OUTLINE: Tactics***

## **8. Destruction of INDIVIDUAL rights: Accomplished by loans of government property (privileges) that create IMPLIED obligations.**

**8.1 This is called “franchises”.**

**8.2 Obligations created are EXTRACONSTITUTIONAL in nature.**

**8.3 Obligations created are non-territorial, meaning that they apply EVERYWHERE the franchisee is found.**

**8.4 Those accepting privileges are assimilated into the COLLECTIVE/STATE as “officers of a corporation”.**

**8.5 Presence of obligations are represented by a MANDATORY “civil status” that attaches to each participant.**

## **9. Recruitment into Administrative State**

**9.1 Franchise statutes**

**9.2 Rigged Forms.**

**9.3 Government lies and propaganda**

**9.4 Usury and adhesion contracts facilitated by government monopoly are used to compel production of FALSE evidence of consent to the loan of property.**

# ***COURSE OUTLINE: Tactics***

## **10. Main source of power of administrative state:**

10.1 Criminal identity theft: Transport participants identity from states of the Union to federal territory or the corporate “United States”. [Form #05.046](#).

10.2 Ostracism and economic embargoes against non-participants. This is implemented with unlawfully outsourcing enforcement to otherwise PRIVATE parties at employers and financial institutions.

10.3 Equivocation. Used to CREATE presumptions about your consent to participate in the franchises that are hard to rebut. sign them up for franchises. [Form #05.014, Section 14.1](#).

10.4 Illegal administrative enforcement. Implemented through the unconstitutional extraterritorial application of statutory franchises to PRIVATE parties. Form #05.032.

10.5 Deceit in forms and publications. They state you can't trust their forms and publications. [Form #05.014](#).

10.6 Unaccountable propaganda. This includes falsely portraying PRIVATE or SPECIAL law as PUBLIC law. [Form #05.014](#).

10.7 Unconstitutional presumption. Violates due process (Form #05.045) and produces “plausible deniability”. Make unlawful or unconstitutional activities look lawful. “Color of law”

10.8 Omission of PRIVATE civil statuses on government forms. Used to protects the presumption by ignoring attempts to rebut the presumption.

10.9 Selective enforcement. Do not prosecute above tactics so they are protected and de facto system can continue.

# ***COURSE OUTLINE: Tactics***

10.10. Bundling to expand customer base. PUBLIC FRANCHISE obligations are bundled with PRIVATE DE JURE government functions to force PRIVATE to be converted to PUBLIC.

## **11. Secret Weapon: The Risk Management Honeypot**

11.1 Universally used by IRS, Department of State, and private companies to compel people to convert their civil status.

11.2 Originally designed as a defense mechanism but has become an OFFENSIVE weapon.

## **12. Summary and Conclusions**

# Dedication

God's [Delegation of Authority Order, the Bible \(Form #13.007\)](#) says you CANNOT consent to give away or even CONTRACT away [ANY of the rights He gave you \(Form #10.002\)](#). All of the methods of loosing CONSTITUTIONAL or COMMON LAW protections require you to violate this commandment DIRECT from God:

*"I [God] brought you up from Egypt [slavery] and brought you to the land of which I swore to your fathers; and I said, 'I will never break My covenant with you. And **you shall make no covenant [contract or franchise or agreement of ANY kind] with the inhabitants of this [corrupt pagan] land; you shall tear down their [man/government worshipping socialist] altars.**' But you have not obeyed Me. Why have you done this?"*

*"Therefore I also said, '**I will not drive them out before you; but they will become as thorns [terrorists and persecutors] in your side and their gods will be a snare [slavery!] to you.**'"*

So it was, when the Angel of the LORD spoke these words to all the children of Israel, that the people lifted up their voices and wept.

*[Judges 2:1-4, Bible, NKJV]*

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*"**You shall make no covenant [contract or franchise] with them [foreigners, pagans], nor with their [pagan government] gods [laws or judges]. They shall not dwell in your land [and you shall not dwell in theirs by becoming a "resident" or domiciliary in the process of contracting with them], lest they make you sin against Me [God]. For if you serve their [government] gods [under contract or agreement or franchise], it will surely be a snare to you.**"*

*[Exodus 23:32-33, Bible, NKJV]*

**For a dramatization of the above, see:**

[Devil's Advocate: Lawyers, SEDM](#)

<https://sedm.org/what-we-are-up-against/>

# ***Introduction***

- **The Administrative State exists within the Executive Branch of the government.**
- **The Administrative State is the main method by which most people interact with the government.**
- **The Administrative State is the enemy of freedom, liberty, and autonomy in most cases.**
- **The Administrative State obtains all of its jurisdiction over you through your consent.**
- **It is important to learn about the Administrative State to protect your freedom and avoid becoming a target of its endless and rapacious enforcement activities that touch many areas of our lives.**

# Definition

- The phrase “the Administrative State” was widely used before [Dwight Waldo](#) adopted it in 1948, and the concept of administrative powers and responsibilities has been the subject of debate for as long as the structure of democratic government has been implemented. Where the current debate begins is with the [United States Constitution](#), and arguments over the powers are and aren't legitimate under that constitution.
- The primary debate is over whether or not nonelected agencies of the government have the power to legislate as well as enforce. The argument for the power is that all federal agencies/ officials are subject to the [President of the United States](#), who is elected accommodating the new power democratically so that it does not need to be voted on directly by the public; where the counter is that “agencies remain inefficient, ineffective, and undemocratic;” attempting to justify that the public’s inability to vote for the policy that the agency adopts is undemocratic/unconstitutional ([Harvard Law Review](#)).<sup>[2]</sup>
- Dr. [Michael Greve](#), a law professor at [George Mason University School of Law](#), defines the current implemented administrative state of the United States as, “a power once known as 'prerogative'—that is, the power to make binding rules without law, outside the law, or against the law, exercised by someone other than an elected legislature,”<sup>[citation needed]</sup> which he considers opposite to the intentions of the “founders.” Greve's position is that government entities (agencies) are power hungry and that citizens should adhere to the US Constitution with its emphasis on the public good and its safeguards against the despotism of unrestricted administrative agencies.
- The administrative state is a term used to describe the phenomenon of executive branch administrative agencies exercising the power to create, adjudicate, and enforce their own rules. Five pillars are key to understanding the main areas of debate about the nature and scope of administrative agency action: [nondelegation](#), [judicial deference](#), [executive control of agencies](#), [procedural rights](#), and [agency dynamics](#).
- [Wikipedia: Administrative State, Downloaded 6/4/23; [https://en.wikipedia.org/wiki/The\\_Administrative\\_State](https://en.wikipedia.org/wiki/The_Administrative_State)]

# ***Two Types of Governments***

- **There are only TWO types of government:**
  - De Jure: Governments exclusively by consent of the governed.
  - De Facto: Terrorist governments.
- **Characteristics and differences between de jure and de facto exhaustively analyzed in:**
  - De Facto Government Scam*, Form #05.043
  - <https://sedm.org/Forms/FormIndex.htm>
- **The following pages summarize the main characteristics of each.**

# ***De Jure Government***

- 1. Main purpose is “justice”, which is the right to be left alone by EVERYONE, including government. See [What is “Justice”?, Form #05.050](#).**
- 2. Most legislation implemented as de jure “law”. See [Form #05.048](#)**
- 3. Cannot use taxing powers to redistribute wealth.**
- 4. NEVER operate for profit, but for the “benefit” of the public they serve.**
- 5. Have a fiduciary duty both individually and collectively to the people they serve.**
- 6. May NEVER operate:**
  - 6.1 Anonymously.**
  - 6.2 Unaccountably.**

For the reason for the above, see:  
[The Psychology of Evil: The Lucifer Effect in Action](#) (OFFSITE LINK) – Philip Zimbardo. What causes people to become evil.
- 7. Are always accountable for telling the truth when interacting with the public.**



# ***De Jure Government***

- 8. Are never coercive and always fully disclose the voluntary nature of everything OTHER than:**
  - 8.1 CRIMINAL enforcement.**
  - 8.2 COMMON LAW injury enforcement.**
  - 8.3 Military engagements.**

Everything other than the above we call “civil services”
- 9. Always offer you a choice to not participate in every method of CIVIL statutory enforcement or “CIVIL services”. See [Disclaimer, Section 4 \(https://sedm.org/disclaimer.htm\)](https://sedm.org/disclaimer.htm) for definition of “civil services”.**
- 10. Never try to “bundle” any OTHER PUBLIC civil service with VITAL PRIVATE services such as driver licensing or government ID. This violates the Unconstitutional Conditions Doctrine. See [Form #05.030](#), Section 28.2 for description of “Unconstitutional Conditions Doctrine”.**
- 11. Cannot print money or fund operations with fiat currency but has to borrow with bonds from the public, because this:**
  - 11.1 Promotes THEFT**
  - 11.2 Removes accountability.**

# ***De Jure Government***

**12.** When engaging in anything not EXPRESSLY authorized by the constitution:

**12.1** Behave in a PRIVATE, commercial capacity on an equal footing with everyone else. Clearfield Doctrine.

**12.2** Impliedly waive official, judicial, and sovereign immunity.

**13.** Citizens and residents can NEVER be officers of the government for any purpose OTHER than voting or jury service.

**14.** Exhaustive description found in:

***Self-Government Federation: Articles of Confederation***, Form #13.002

DIRECT LINK: <https://sedm.org/Forms/13-SelfFamilyChurchGovnce/SGFArtOfConfed.pdf>

FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>

## ***Black's Law Dictionary Definition of "De Jure"***

***"de jure: Descriptive of a condition in which there has been total compliance with all requirements of law. Of right; legitimate; lawful; by right and just title. In this sense it is the contrary of de facto (q.v.). It may also be contrasted with de gratia, in which case it means "as a matter of right," as de gratia means "by grace or favor." Again it may be contrasted with de aequitate; here meaning "by law," as the latter means "by equity".***

***[Black's Law Dictionary, Sixth Edition, p. 425]***

# ***De Facto Government***

- 1. Main goal is to concentrate all money and power or control into government hands. This is done by making all property PUBLIC and effectively outlawing PRIVATE property.**
- 2. Most legislation implemented as franchises and collectively called “comity”.**
- 3. Uses income tax to unconstitutionally redistribute wealth.**
- 4. Government wealth is distributed ONLY to those who give up the protections of the constitution and consent to become an ENFRANCHISED government employee/officer.**
- 5. Main source of authority is:**
  - 5.1 The “general welfare clause”, Article 1, Section 8, Clause 1.**
  - 5.2 Power over interstate commerce. Article 1, Section 8, Clause 3.**
- 6. Is an unconstitutional commercial “invader” of the sovereign states of the Union, in violation of Article 4, Section 4 of the Constitution.**
- 7. Print money to fund general revenues. (pay mortgage with credit card)**
- 8. When engaging in anything not expressly authorized by the constitution, UNCONSTITUTIONALLY and FALSELY :**
  - 8.1 Claim character as “government”.**
  - 8.2 Refuse to waive official, judicial, and sovereign immunity.**

# ***De Facto Government***

- 9.** Virtually ALL Citizens and Residents are STATUTORY rather than CONSTITUTIONAL. They are UNLAWFULLY and UNCONSTITUTIONALLY treated as public officers for purposes OTHER than voting and jury service.
- 10.** Everything related to enforcement is done anonymously and unaccountably:
  - 10.1 Do not sign correspondence.
  - 10.2 Do not use REAL legal birth name. Instead use “pseudonym”
  - 10.3 Do not provide an address to serve the responsible party with legal papers to sue them.

The above are done to protect the terrorists in what Mark Twain called the “District of Criminals”, rather than the people these terrorists were hired to protect.
- 11.** NEVER accountable for telling the truth in the forms, publications, and correspondence.
- 12.** NEVER disclose voluntary nature of civil statutory enforcement or “civil services”.

# ***De Facto Government***

- 13.** NEVER offer you a choice on their forms to opt out of CIVIL statutory enforcement or CIVIL services. ALWAYS presume (usually falsely, Form #05.017) EVERYONE participates and illegally penalizes (unconstitutional Bill of Attainder) those who don't want to.
- 14.** Admit they have a fiduciary duty to the public, but NEVER to a specific MEMBER of the public.
- 15.** Bundle every important statutory enforcement authority with VITAL services such as driver licensing and government ID to COERCE expansion of enfranchised audience.
- 16.** Also called the “administrative state”
- 17.** Exhaustive description found in:

***De Facto Government Scam***, Form #05.043

DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/DeFactoGov.pdf>

FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>

## ***Black's Law Dictionary Definition of “De Facto”***

***de facto:* In fact, in deed, actually. This phrase is used to characterize an officer, a government, a past action or a state of affairs which must be accepted for all practical purposes, but is illegal or illegitimate. Thus, an office, a position or status existing under a claim or color of right such as a de facto corporation. In this sense it is the contrary of de jure, which means rightful, legitimate, just, or constitutional. Thus, an officer, king, or government de facto is one who is in actual possession of the office or supreme power, but by usurpation, or without lawful title; while an officer, king, or governor de jure is one who has just claim and rightful title to the office or power, but has never had plenary possession of it, or is not in actual possession. MacLeod v. United States, 229 U.S. 416, 33 S.Ct. 955, 57 L.Ed. 1260. A wife de facto is one whose marriage is voidable by decree, as distinguished from a wife de jure, or lawful wife. But the term is also frequently used independently of any distinction from de jure; thus a blockade de facto is a blockade which is actually maintained, as distinguished from a mere paper blockade. Compare De jure.**

***[Black's Law Dictionary, Sixth Edition, p. 416]***

## *Founding Father View of De Facto Government*

- The U.S. Constitution was written based on the notes of James Madison at the Constitutional Convention.
- James Madison had the following things to say about the present De Facto **TERRORIST** government (Form #11.401):



# ***“General Welfare” Clause does NOT authorize a De Facto Government***

***“With respect to the words general welfare, I have always regarded them as qualified by the detail of powers connected with them. To take them in a literal and unlimited sense would be a metamorphosis of the Constitution into a character which there is a host of proofs was not contemplated by its creator.”***

***“If Congress can employ money indefinitely to the general welfare, and are the sole and supreme judges of the general welfare, they may take the care of religion into their own hands; they may appoint teachers in every State, county and parish and pay them out of their public treasury; they may take into their own hands the education of children, establishing in like manner schools throughout the Union; they may assume the provision of the poor; they may undertake the regulation of all roads other than post-roads; in short, every thing, from the highest object of state legislation down to the most minute object of police, would be thrown under the power of Congress.... Were the power of Congress to be established in the latitude contended for, it would subvert the very foundations, and transmute the very nature of the limited Government established by the people of America.”***

***“If Congress can do whatever in their discretion can be done by money, and will promote the general welfare, the government is no longer a limited one possessing enumerated powers, but an indefinite one subject to particular exceptions.”***

***[James Madison. House of Representatives, February 7, 1792, On the Cod Fishery Bill, granting Bounties]***

**More quotes like the above in:**

***Socialism: The New American Civil Religion, Form #05.016, Section 5.1***

***<https://sedm.org/Forms/05-MemLaw/SocialismCivilReligion.pdf>***

# Supreme Court View of the De Facto Government

"These are words of weighty import. They involve consequences of the most momentous character. I take leave to say that if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will be the result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism."

[...]

"This nation is under the control of a written constitution, the supreme law of the land and the only source of the powers which our Government, or any branch or officer of it, may exert at any time or at any place. Monarchical and despotic governments, unrestrained by written constitutions, may do with newly acquired territories what this Government may not do consistently with our fundamental law. To say otherwise is to concede that Congress may, by action taken outside of the Constitution, engraft upon our republican institutions a colonial system such as exists under monarchical governments. Surely such a result was never contemplated by the fathers of the Constitution. If that instrument had contained a word suggesting the possibility of a result of that character it would never have been adopted by the People of the United States. The idea that this country may acquire territories anywhere upon the earth, by conquest or treaty, and hold them as mere colonies or provinces — the people inhabiting them to enjoy only such rights as Congress chooses to accord to them — is wholly inconsistent with the spirit and genius as well as with the words of the Constitution."

"The idea prevails with some — indeed, it found expression in arguments at the bar — that we have in this country substantially or practically two national governments; one, to be maintained under the Constitution, with all its restrictions; the other to be maintained by Congress outside and independently of that instrument, by exercising such powers as other nations of the earth are accustomed to exercise." It is one thing to give such a latitudinarian construction to the Constitution as will bring the exercise of power by Congress, upon a particular occasion or upon a particular subject, within its provisions. It is quite a different thing to say that Congress may, if it so elects, proceed outside of the Constitution. The glory of our American system [381\\*381](#) of government is that it was created by a written constitution which protects the people against the exercise of arbitrary, unlimited power, and the limits of which instrument may not be passed by the government it created, or by any branch of it, or even by the people who ordained it, except by amendment or change of its provisions. "To what purpose," Chief Justice Marshall said in [Marbury v. Madison, 1 Cranch, 137, 176](#), "are powers limited, and to what purpose is that limitation committed to writing, if these limits may, at any time, be passed by those intended to be restrained? The distinction between a government with limited and unlimited powers is abolished if those limits do not confine the persons on whom they are imposed, and if acts prohibited and acts allowed are of equal obligation."

[Downes v. Bidwell, [182 U.S. 244](#) (1901), Justice Harlan, Dissenting]

# ***De Facto Government Unconstitutional***

- **De Facto government is ALSO ILLEGAL and UNCONSTITUTIONAL:**
  - In a government of delegated powers, de facto approach above is **ILLEGAL** and **UNCONSTITUTIONAL** because.
    - » [Ninth and Tenth Amendments](#) reserve powers not expressly delegated to the states and the people.
    - » Everything not **EXPRESSLY** delegated is legislatively foreign, sovereign, and exclusively **PRIVATE**.
    - » People cannot lawfully **ALIENATE** private or constitutional rights, so it's a violation of the Declaration of Independence to make a profitable **BUSINESS** out of enticing people with franchises to give up such rights. See [Unalienable Rights Course](#), Form #12.038  
<https://sedm.org/LibertyU/UnalienableRights.pdf>
  - [Separation of Powers Doctrine \(Form #05.023\)](#) also forbids national government bribing the states with [franchise “benefits”](#) to surrender any portion of their sovereignty.
  - It is a crime to impersonate a [public officer \(straw man, Form #05.042\)](#). Therefore, it is impossible to consent to join the de facto government without an oath or lawful appointment.
  - [Constitution Article 4, Section 4](#) prohibits “invasion” of the states of the Union, which would have to include **ANYTHING** and **EVERYTHING** not expressly authorized which is injurious because involves “enforcement” against [non-resident \(Form #05.020\)](#) parties.

# ***Main Difference Between Types of Governments***

- **Main difference between the two types of governments is approach towards the constitution:**
  - **De Jure**: Everything not expressly AUTHORIZED is unconstitutional and unlawful.
  - **De Facto**: Everything not expressly PROHIBITED is allowable.
- **The following table describes how the above differences are IMPLEMENTED.**

# Tabular Comparison of Types of Government

#	Description	De Jure	De Facto
1	Purpose	Justice (right to be left alone, <a href="#">Form #05.050</a> )	Concentrate all money, power, and control over property into hands of government
2	Limited powers	Yes. Restricted to EXPRESSLY delegated powers.	No. Only limit is what is EXPRESSLY prohibited.
3	Money ( <a href="#">Form #05.041</a> )	Substance (gold, silver)	Fiat
4	Taxation	Only funds government	Used UNCONSTITUTIONALLY for wealth redistribution and criminally bribing voters/jurists.
5	Most congressional enactments are	De jure "law" ( <a href="#">Form #05.048</a> )	Franchises/contracts (see <a href="#">Form #05.037</a> , <a href="#">Form #12.012</a> , <a href="#">Form #05.030</a> )
6	Property ownership	Absolute (protected by Bill of Rights)	Qualified (shared with government). Government is only one with ABSOLUTE ownership. (See <a href="#">Form #12.025</a> )
7	Administrative/franchise court control over property of ordinary Americans?	No	Yes (Tax Court, Traffic Court, Family Court. NONE of these are constitutional courts, but PROPERTY courts under Article 4, Section 3, Clause 2)
8	People fill public offices (straw man) for purposes OTHER than voting/jury service?	No	Yes (See <a href="#">Forms #05.008</a> , <a href="#">Form #05.042</a> )
9	Civil legislation limited to public officers on official business?	Yes. Ordinary Americans are only officers for voting and jury service and NO OTHER purpose.	No. Everyone is unlawfully elected into public office by SSN/TIN and false information returns and treated as a public officer whether they consent or not. (See <a href="#">Form #05.046</a> )
10	Enforcers are	Identified and accountable	Anonymous and unaccountable. (See <a href="#">Form #11.401</a> , <a href="#">Section 1</a> )
11	Government can lie to public?	No	Yes, with impunity. NOTHING can be trusted. (See <a href="#">Form #05.014</a> , <a href="#">Form #12.023</a> )
12	Jurisdiction within State implemented by	Delegated Powers ( <a href="#">Article 1</a> , <a href="#">Section 8</a> )	Franchises, contracts, comity, public offices ( <a href="#">Form #05.030</a> )

# Goals of the Administrative State

- Goals of the administrative State:
  - Collectivism.
  - Destruction of all INDIVIDUAL PRIVATE or Constitutional rights. See [Form #10.002](#).
- For details on “collectivism”, see:  
*Collectivism and How to Resist It Course*, Form #12.024  
<https://sedm.org/Forms/FormIndex.htm>
- A “public officer” or “[Straw man](#)” is an agent and representative of another.
- Those who can be recruited to ACT as “straw men” or “[public officers](#)” are representatives of the [collective](#) “state”.

*“All the powers of the government [[including ALL of its civil enforcement powers](#) against the public] must be carried into operation by individual agency, either through the medium of public officers, or contracts made with [private] individuals.”*

*[Osborn v. Bank of U.S., 22 U.S. 738 (1824); SOURCE;  
<http://caselaw.lp.findlaw.com/scripts/getcase.pl?navby=case&court=us&vol=22&page=738>]*

# ***Goals of the Administrative State***

- **You are forced to join the collective when government:**
  - Refuses to recognize or enforce PRIVATE property or PRIVATE rights on government forms.
  - Compels you to convert all or MOST PRIVATE property to PUBLIC property in exchange for the PRIVILEGE of statutory protection.
  - Interferes with enforcement of Bill of Rights and Common Law and replace them with franchise statutes. Both of these protect EXCLUSIVELY PRIVATE rights.
  - Discriminates against or economically sanctions you directly or indirectly through private companies for REFUSING to acquire or invoke a government issued civil status of any kind or SSN/TIN/EIN.
- **The above is realized by making state nationals APPEAR to have been removed from the protections of the Constitution so that they can't invoke it in court.**
- **The only thing necessary to remove them is to bring them under ANY federal statute, because the Constitution does NOT apply where national statutes apply. They are MUTUALLY EXCLUSIVE.**
- **The following page describes how the above is accomplished ADMINISTRATIVELY.**

# ***Goals of the Administrative State***

- **If you:**
  - Must invoke a civil statutory status ([Form #13.008](#)) that is a public office for ANY reason to receive an essential government service or protection. Example: Government ID.
  - Cannot quit the position or are economically punished for quitting. E.g. [26 U.S.C. §877](#).
  - Cannot choose to be OFF duty at any time or for specific purposes that YOU and not the GOVERNMENT chooses.
  - Must use a “franchise license number” (SSN/TIN) implying consent ([Form #05.003](#)) to act as a public officer ([Form #05.008](#)) for EVERY interaction with the government.
- **Then you:**
  - Are inevitably a compelled SLAVE and a peon, which is a crime per [18 U.S.C. §1590](#).
  - Do not have ANY PRIVATE property or PRIVATE rights.
  - Are government CHATTEL and property just as surely as any black slave prior to the civil war. Welcome to the communist gulag, comrade.



# ***Goals of the Administrative State***

- **Methods of removing constitutional protections:**
  - **LAWFUL methods include:**
    - » Serving on federal territory as a public officer on official business while domiciled within a constitutional state.
    - » Moving your physical location to a place not protected by the constitution (Form #04.404), such as federal territory or abroad.
  - **Unlawful methods of removing constitutional protections:**
    - » Invoking franchise statutes or accepting the “benefits” of an extraterritorial [government franchise \(Form #05.030\)](#).
    - » Misrepresenting your status on government forms.
    - » Bribing a withholding agent with monies to treat you “as if” you are a public officer called a [“taxpayer” \(Form #05.013\)](#).
- **For a description of the LAWFUL methods for removing people from the constitution, see:**  
***Unalienable Rights Course*, Form #012.038**  
**<https://sedm.org/Forms/FormIndex.htm>**

- **Section 8: Destruction of INDIVIDUAL rights**

# ***Destruction of Individual Rights***

- Destruction of INDIVIDUAL rights accomplished by loans of government property (privileges) that create IMPLIED obligations.

*“How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or by equity alone. But how can one person impose an obligation upon another? By giving property to the latter on the terms of his assuming an obligation in respect to it. At law there are only two means by which the object of the donor could be at all accomplished, consistently with the entire ownership of the property passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting the title of the donee to a condition subsequent. The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the objects of the donor, and yet avoid the mischiefs of real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come without value or with notice) a personal obligation with respect to the property; and accordingly this is what equity does. It is in this way that all trusts are created, and all equitable charges made (i.e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation. In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained.”*

*[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 543]*

- This is called **“franchises”. Form #05.030.**

# ***Destruction of Individual Rights***

- Obligations created are **EXTRACONSTITUTIONAL** in nature.
- Obligations created are non-territorial, meaning that they apply **EVERYWHERE** the **franchisee** is found.

*Debt and contract [[franchise agreement, Form #05.003](#), in this case] are of no particular place.*

*Locus contractus regit actum.*

*The place of the contract [franchise agreement, in this case] governs the act.*

*[Bouvier's Maxims of Law, 1856;*

*SOURCE:*

*<http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>*

- The California Civil Code and Code of Civil Procedure define **HOW** obligations are lawfully created. These obligations **SUPERSEDE** and render null constitutional rights:

# ***How Obligations are Created***

- The legal definition of “law” can be easily discerned by examining HOW CIVIL “obligations” are created. The California Civil Code, Section 1427 defines what an obligation or duty is:

*California Civil Code - CIV*

*DIVISION 3. OBLIGATIONS [1427 - 3272.9]*

*( Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14. )*

*PART 1. OBLIGATIONS IN GENERAL [1427 - 1543] ( Part 1 enacted 1872. )*

*TITLE 1. DEFINITION OF OBLIGATIONS [1427 - [1428.]] ( Title 1 enacted 1872.)*

*1427. An obligation is a legal duty, by which a person is bound to do or not to do a certain thing.*

*(Enacted 1872.)*

- The California Civil Code then describe how obligations may lawfully be created. Section 22.2 of the California Civil Code (“CCC”) shows that the common law shall be the rule of decision in all the courts of this State. CCC section 1428 establishes that obligations are legal duties arising either from contract of the parties, or the operation of law (nothing else). CCC section 1708 states that the obligations imposed by operation of law are only to abstain from injuring the person or property of another, or infringing upon any of his or her rights.

# How Obligations are Created

*California Civil Code - CIV*

## **DEFINITIONS AND SOURCES OF LAW**

*(Heading added by Stats. 1951, Ch. 655, in conjunction with Sections 22, 22.1, and 22.2)*

**22.2. The common law of England, so far as it is not repugnant to or inconsistent with the Constitution of the United States, or the Constitution or laws of this State, is the rule of decision in all the courts of this State.**

*(Added by Stats. 1951, Ch. 655.)*

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*California Civil Code – CIV*

## **DIVISION 3. OBLIGATIONS [1427 - 3272.9]**

*( Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14. )*

### **PART 1. OBLIGATIONS IN GENERAL [1427 - 1543] ( Part 1 enacted 1872. )**

#### **TITLE 1. DEFINITION OF OBLIGATIONS [1427 - [1428.]] (Title 1 enacted 1872.)**

**[1428.] Section Fourteen Hundred and Twenty-eight. An obligation arises either from:**

**One — The contract of the parties; or,**

**Two — The operation of law. An obligation arising from operation of law may be enforced in the manner provided by law, or by civil action or proceeding.**

*(Amended by Code Amendments 1873-74, Ch. 612.)*

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*California Civil Code – CIV*

## **DIVISION 3. OBLIGATIONS [1427 - 3272.9]**

*(Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14. )*

### **PART 3. OBLIGATIONS IMPOSED BY LAW [1708 - 1725]**

*( Part 3 enacted 1872. )*

**1708. Every person is bound, without contract, to abstain from injuring the person or property of another, or infringing upon any of his or her rights.**

*(Amended by Stats. 2002, Ch. 664, Sec. 38.5. Effective January 1, 2003.)*

- The phrase “operation of law” uses the word “law” and therefore implies REAL law. REAL law in turn consists of ONLY the common law and the Constitution, as we prove in this document.

# ***How Obligations are Created***

- Based on the above provisions of the California Civil Code, when anyone from the government seeks to enforce a “duty” or CIVIL “obligation”, such as in tax correspondence, they have the burden of proof to demonstrate.
  1. That you expressly consented to a contract with them. This would include:
    1. Written agreements.
    2. Trusts.
    3. Statutory franchises (Form #05.030).
  2. That “operation of law” is involved. In other words, that you injured a specific, identified flesh and blood person and that such a person has standing to sue in a civil or common law action. THIS is what we refer to as “law” in this document.
- For further details on how obligations are lawfully created, see:  
Requirement for Consent, Form #05.003  
<https://sedm.org/Forms/FormIndex.htm>

# ***Destruction of Individual Rights***

- Those accepting privileges are assimilated into the **COLLECTIVE/STATE (Form #12.024)** as “officers of a corporation” (straw man).

- A “**public officer**” is legally defined as someone in charge of the “property” of the public.

*“Public office. The right, authority, and duty created and conferred by law, by which for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of government for the benefit of the public. Walker v. Rich, 79 Cal.App. 139, 249 P. 56, 58. An agency for the state, the duties of which involve in their performance the exercise of some portion of the sovereign power, either great or small. Yaselli v. Goff, C.C.A., 12 F.2d. 396, 403, 56 A.L.R. 1239; Lacey v. State, 13 Ala.App. 212, 68 So. 706, 710; Curtin v. State, 61 Cal.App. 377, 214 P. 1030, 1035; Shelmadine v. City of Elkhart, 75 Ind.App. 493, 129 N.E. 878. State ex rel. Colorado River Commission v. Frohmiller, 46 Ariz. 413, 52 P.2d. 483, 486. Where, by virtue of law, a person is clothed, not as an incidental or transient authority, but for such time as de- notes duration and continuance, with Independent power to control the property of the public, or with public functions to be exercised in the supposed interest of the people, the service to be compensated by a stated yearly salary, and the occupant having a designation or title, the position so created is a public office. State v. Brennan, 49 Ohio.St. 33, 29 N.E. 593.*

*[Black’s Law Dictionary, Fourth Edition, p. 1235]*

- For proof you have been assimilated as a franchisee, see:

**Proof That There Is A “Straw Man”**, form #05.042

**<https://sedm.org/Forms/05-MemLaw/StrawMan.pdf>**



# ***Destruction of Individual Rights***

- Presence of CIVIL obligations are represented by a MANDATORY **“civil status” (Form #13.008)** that attaches to each participant. This includes:
  - Statutory “driver” under the vehicle code.
  - Statutory **“taxpayer”** under the tax code.
  - Statutory **“person”** or **“individual”** under the civil code.
  - Statutory “spouse” under the family code.
- You cannot lawfully have a **“civil status” (Form #13.008)** in a place where:
  - You are not **domiciled. Form #05.002.**
  - You are not physically present within.
  - You have no contracts with, based on the definition of “obligation” earlier. **“resident”** is a synonym for such contracts.
- See the following for details on **“civil status”**:  
***Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008**  
**<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>**

# Recruitment into Administrative State

- The main method of recruitment to grant or loan public property includes:
  - [Franchise statutes \(Form #05.030\)](#).
  - [Rigged Forms \(Form #12.023\)](#).
  - [Government lies and propaganda \(Form #05.014\)](#)
  - [Usury](#) and adhesion contracts and bundling facilitated by government monopoly are used to compel production of FALSE evidence of consent to the loan of property.
- Invoking the [“benefit” \(Form #05.040\)](#) of franchise statutes:

*The principle is invoked that one who accepts the benefit of a statute cannot be heard to question its constitutionality. [Great Falls Manufacturing Co. v. Attorney General](#), 124 U.S. 581, 8 S.Ct. 631, 31 L.Ed. 527; [Wall v. Parrot Silver & Copper Co.](#), 244 U.S. 407, 37 S.Ct. 609, 61 L.Ed. 1229; [St. Louis, etc., Co., v. George C. Prendergast Const. Co.](#), 260 U.S. 469, 43 S.Ct. 178, 67 L.Ed. 351.*

[. . .]

*6. The Court will not pass upon the constitutionality of a statute at the instance of one who has availed himself of its benefits.<sup>FN7</sup> [Great Falls Mfg. Co. v. Attorney General](#), 124 U.S. 581, 8 S.Ct. 631, 31 L.Ed. 527; [Wall v. Parrot Silver & Copper Co.](#), 244 U.S. 407, 411, 412, 37 S.Ct. 609, 61 L.Ed. 1229; [St. Louis Malleable Casting Co. v. Prendergast Construction Co.](#), 260 U.S. 469, 43 S.Ct. 178, 67 L.Ed. 351.*

*<sup>FN7</sup> Compare [Electric Co. v. Dow](#), 166 U.S. 489, 17 S.Ct. 645, 41 L.Ed. 1088; [Pierce v. Somerset Ry.](#), 171 U.S. 641, 648, 19 S.Ct. 64, 43 L.Ed. 316; [Leonard v. Vicksburg, etc., R. Co.](#), 198 U.S. 416, 422, 25 S.Ct. 750, 49 L.Ed. 1108.*

*[\[Ashwander v. Tennessee Valley Authority, 297 U.S. 288, 56 S.Ct. 466 \(1936\)\]](#)*

# ***Recruitment into Administrative State***

For details on the above, see:

*Government Institutes Slavery Using Franchises*, Form #05.030

<https://sedm.org/Forms/FormIndex.htm>

- **Rigged forms. See the following:**

*Avoiding Traps in Government Forms Course*, Form #12.023

<https://sedm.org/Forms/FormIndex.htm>

- **Government lies and propaganda. See:**

- *Reasonable Belief About Income Tax Liability*, Form #05.007

<https://sedm.org/Forms/FormIndex.htm>

- *Legal Deception, Propaganda, and Fraud*, Form #05.014

<https://sedm.org/Forms/FormIndex.htm>

# *Main Source of Power of Administrative State*

- **Criminal identity theft:** Transport participant's identity from states of the Union to federal territory or the corporate "**United States**". This is done by:
  - Equivocation using geographical terms. See [Form #05.014](#), Sections 12.5 and 12.6.
  - Illegally associating Social Security Numbers with all transactions either to extraterritorial nonresidents or to those not consenting or who are FORBIDDEN from alienating constitutional rights. [Form #05.012](#).

See: *Government Identity Theft*, Form #05.046; <https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>.
- **Ostracism and economic embargoes against non-participants.** This is implemented with:
  - Unlawfully outsourcing civil STATUTORY enforcement to otherwise PRIVATE parties at private employers and financial institutions.
  - Refusing to do otherwise PRIVATE business with those who refuse to convert their status to PUBLIC "**taxpayers**" or civil "**persons**". This PUNISHES and PENALIZES them for trying to remain private. It is an unconstitutional [Bill of Attainder](#) for private companies acting (usually illegally) as government enforcers.

# ***Main Source of Power of Administrative State***

- **Equivocation.** Abused to CREATE [presumptions](#) about your consent to participate in the franchises that are hard to rebut. See:
  - [Avoiding Traps in Government Forms, Form #12.023](#)
  - [Legal Deception, Propaganda, and Fraud, Form #05.014](#), Section 14.1.
- **Illegal administrative enforcement.** Implemented through the unconstitutional [extraterritorial](#) application of [statutory franchises \(Form #05.030\)](#) to [non-resident \(Form #05.020\)](#) PRIVATE parties. See Form #05.032.
- **Deceit in forms and publications.** They state you can't trust their forms and publications. [Form #05.014](#).
- **Unaccountable propaganda.** This includes falsely portraying PRIVATE or SPECIAL law as PUBLIC law. [Form #05.014](#).
- **Unconstitutional presumption.** Violates [due process \(Form #05.045\)](#) and protects “plausible deniability”. Makes unlawful or unconstitutional activities look lawful. “[Color of law](#)”. See:

**Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction,**  
Form #05.017

<https://sedm.org/Forms/FormIndex.htm>

# ***Main Source of Power of Administrative State***

- **Omission of PRIVATE civil statuses on government forms.** Used to protect the presumption by ignoring attempts to rebut the presumption.
- **Selective enforcement.** Do not prosecute above tactics so they are protected and [de facto system \(Form #05.043\)](#) can continue.
- **Bundling to expand customer base.** PUBLIC FRANCHISE obligations are bundled with PRIVATE DE JURE government functions to force PRIVATE to be converted to PUBLIC.

# **Secret Weapon: Risk Management Honeypot**

- **Definition:**
  - An administrative tactic for accepting forms or applications which COERCES people under legal duress to misrepresent their civil status on government forms and economically punishes those who refuse to. The output of the process is that those applicants who are victimized by it unwittingly and illegally become public officers (straw men) in the government representing a public office domiciled on federal territory.
  - Wikipedia: Honeypot; [https://en.wikipedia.org/wiki/Honeypot\\_\(computing\)](https://en.wikipedia.org/wiki/Honeypot_(computing))
- **Administrative Structure of the Risk Management Honeypot:**
  - An ignorant clerk accepts the form. Clerk is not educated in the law and is specifically hired BECAUSE they do not know the law.
  - Hypocrisy: The form accepted is usually signed under penalty of perjury to ensure it is accurate, even though NO one APPROVING it EVER has to identify their legal birthname or any of their personal details and the instructions are not trustworthy or verified under penalty of perjury.
  - Ostracism of PRIVATE people: The form or selection of forms to be submitted does not recognize or allow those who have no [civil status \(Form #13.008\)](#) or [franchise status \(Form #05.030\)](#) with the government and therefore are EXCLUSIVELY private.
  - Compartmentalization of ACTION and DECISION: Clerk is NOT empowered to APPROVE the form. Someone else who is anonymous and unaccountable does this. We call them the “Approval agent”.
  - Lack of accountability: Approval Agent who reviews and approves the form accepted by the clerk is anonymous and unaccountable.

# ***Secret Weapon: Risk Management Honeypot***

- **Resistance to creating accountability:** If you **INSIST** on identifying the **APPROVAL** agent, they will vociferously resist doing so and say they aren't allowed to give the address, name, email address, or phone number of the party.
- **False sense of personal discretion on your part:** You are told by both the clerk and the anonymous approval agent to put whatever you want on the form, but this is **FALSE**, because:
  - » They will **NOT** recognize or help those who are “exempted by fundamental law” because not domiciled on federal territory and not engaged in any government franchise.
  - » If you add a field to the **“CIVIL STATUS” block** indicating “non-resident non-person” they tell you that they will not complete the transaction.
  - » If you submit a custom form indicating your proper **PRIVATE “non-resident non-person” (Form #05.020)** status in place of theirs, they will tell you that they will not complete the transaction. This is in spite of the fact that the IRS permits you to make your own W-8 form (**Form #04.202**).
  - » They will not give you their **OWN** form that has **ALL** available statuses in the status block. All them cause you to criminally impersonate a public officer or “person” or “taxpayer”. This violates the First Amendment and essentially compels you to contract with the government under a franchise.
- **Approval notification:** Notification of approval or disapproval is usually done anonymously by mail rather than in person, so that you cannot learn who did the dirty work.
  - » The return address is **NOT** the workplace of the Approval Agent.
  - » There is no phone number of the specific Approval Agent.



# ***Secret Weapon: Risk Management Honeypot***

- The main reasons that companies hire attorneys, in fact, is ***risk management***.
- The Risk Management Honeypot is usually implemented to protect the company or agency you are dealing with from any sort of legal liability.
- The MISUSE of the Risk Management Honeypot occurs when they abuse it to PROMOTE or PROTECT their own criminal or illegal activities in misrepresenting the **civil status (Form #13.008)** of their business partners.
- The result of misrepresenting the **civil status (Form #13.008)** of their business partners or instituting **duress** to produce the misrepresentation is:
  - Money Laundering, because the forms submitted deal with commercial transactions. **Form #05.044**.
  - Impersonating a public officer. **18 U.S.C. §912**.
  - Criminal identity theft. **Form #05.046**.
  - Perjury. **18 U.S.C. §§ 1001, 1621**
  - Criminal witness tampering. **18 U.S.C. §1512**.
  - Bribery to procure public office. **18 U.S.C. §210**.
  - Human trafficking and peonage. **18 U.S.C. §§1581 and 1583**. “Taxpayers” are surety for public debt.

# ***How Clerks and Attorneys Collaborate to CREATE the Risk Management Honeypot***

Lawyers are hired to minimize corporate or company risk. If they are dealing with any subject that could produce civil or criminal liability for the company or an employee, then they minimize risk by avoiding the production of evidence that could be used in future litigation. So this is how it works:

1. The clerks are told to **PLAY STUPID** and answer **NO** questions that involve legal determinations or judgments.
2. The third parties the clerks are dealing with are told what the lawyer **INDIRECTLY** said if there **ARE** questions from the customer.
3. The clerks are told **NEVER** to provide contact information for the lawyer such as name, phone, email, or work address.
4. The lawyer is always **ANONYMOUS** to protect **HIMSELF** first before he protects **NUMBER TWO**, which is the company.
5. If the lawyer wants to say something, he does so **ANONYMOUSLY** through the jerk clerk.
6. Communications from the lawyer or the clerk are **NEVER** in writing because that would become evidence of injury in future litigation.
7. If you bring in a voice recorder, they will stop talking to prevent evidence collection.
8. If they are looking at a computer screen and you walk behind them and insist on looking at what they are looking at **THEY WILL FREAK OUT** because that introduces risk.
9. If you ask them to **PRINT** their internal corporate procedures on the computer screen about how then deal with you, they will **ALSO FREAK OUT**. They may say they don't have a printer.
10. If you then try to take a picture of the screen with your smartphone, they will **FREAK OUT** and may have you escorted out of the building.

That's "The lawyer risk management honeypot". Its a legal fortress created by virtual paranoia on the part of the anonymous company lawyer doing risk management.

# Summary and Conclusions

- Administrative state derives ALL of its unjust authority from ALLEGED but not ACTUAL “consent” ([Form #05.003](#)).
- In legal terms, that consent is called “comity”.
- The most dangerous right you have is your right to contract.
- Private humans cannot lawfully CONSENT ([Form #05.003](#)) to alienate an unalienable right.

*Unalienable Rights Course*, Form #12.038

<https://sedm.org/LibertyU/UnalienableRights.pdf>

- “Fictions of law” such as corporations CAN consent ([Form #05.003](#)) to give up PRIVATE rights because they HAVE very few, excepting private property.
- Therefore, the Administrative State insofar as private humans is concerned is de facto and CANNOT be de jure and is nothing but a usurpation (Form #11.401).

## **Section 2:**

# ***DEFENSES***

# ***COURSE OUTLINE: Defenses***

- **Mandatory defenses of being a member.** The use of the following forms is mandatory for compliant members:
  - **Resignation of Compelled Social Security Trustee**, Form #06.002  
<https://sedm.org/Forms/FormIndex.htm>
  - **Change of Address and Power of Attorney**, Form #07.110  
<https://sedm.org/Forms/FormIndex.htm>
  - **Identity Theft Affidavit**, Form #14.020  
<https://sedm.org/Forms/FormIndex.htm>
  - **Forms and Pubs Page, Section 1.6: Avoiding Government Franchises**  
<https://sedm.org/Forms/FormIndex-SinglePg.htm#1.6>. **AVOIDING GOVERNMENT FRANCHISES AND LICES**  
**NSES**

# ***COURSE OUTLINE: Defenses***

## **1. Administrative defenses**

- A.** Attaching mandatory forms to all applications. This defines terms to make government franchise membership impossible.
- B.** Use of [Anti-Franchise Franchises \(Form #06.027\)](#) to:
  - A.** Reverse the Merchant/Buyer roles. [Form #09.017, Sections 5.6 through 5.8.](#)
  - B.** Reverse [burden or proof on government.](#) [Form #05.025.](#)
- C.** Administrative enforcement under Anti-Franchise Franchise.
- D.** Invoking/enforcing limitations of statutory definitions using Rules of Statutory Construction. [Form #05.014, Section 16.](#)
- E.** Demanding proof that property subject to taxation or regulation was lawfully converted to public use and public purpose BEFORE it was regulated. [Form #12.025.](#)
- F.** Invoking Administrative Procedures Act (A.P.A.) and Federal Register Act. To prove enforcement not authorized on OTHER than public officers. [Form #05.032\\*\\* \(Member Subscriptions\).](#)
- G.** What aren't administrative remedies:
  - A.** Standard IRS forms are NOT “defenses”, but traps. [Form #12.023.](#)
  - B.** It is impossible to “exhaust administrative remedies” using IRS forms.

# ***COURSE OUTLINE: Defenses***

## **2. Judicial defenses**

- A. Insist [Anti-Injunction Act \(26 U.S.C. §7421\)](#) doesn't apply to you. [Form #08.004, Section 8.11.](#)
- B. Insist [Full-Payment Rule \(Flora v. United States, 357 U.S. 63, 78 S.Ct. 1079, 2 L.Ed.2d. 1165 \(1958\)\)](#) does not apply to you. [Litigation Tool #10.002, Sections 6.2 and 12.6.](#)
- C. Common law trespass actions under Fifth Amendment. [Litigation Tool #10.013](#)
- D. Criminal complaint to Department of Justice. [Form #14.020.](#)
- E. Preventing removal to federal court. [Litigation Tool #11.001.](#)
- F. Insist that the IRS has NO ENFORCEMENT AUTHORITY:  
[Challenging Jurisdiction Workbook](#), Form #09.082  
<https://sedm.org/Forms/09-Procs/ChalJurWorkbook.pdf>
- G. Impose common law choice of law ONLY. See:  
[Choice of Law](#), Litigation Tool #01.010  
<https://sedm.org/Litigation/01-General/ChoiceOfLaw.pdf>
- H. Imposing Anti-Franchise choice of law limitations. See:  
[Injury Defense Franchise and Agreement](#), Form #06.027  
<https://sedm.org/Forms/06-AvoidingFranch/InjuryDefenseFranchise.pdf>
- I. What AREN'T judicial defenses but traps:
  - 1. Statutory remedies (franchises).
  - 2. Licensed attorneys.

# ***Administrative Defenses***

- Do not use government identifying numbers.
- Avoid filling out government forms.
- Government forms:
  - If you **MUST** file a form, file your own custom form that fixes the problems described here.
  - If you don't know how to make your own custom form, then attach an attachment. Example:  
*Tax Form Attachment*, Form #04.201  
<https://sedm.org/Forms/FormIndex.htm>
  - In an attachment, define ALL common “words of art” to **EXCLUDE** any and all **STATUTORY** meanings ([Form #05.037](#)) so that the context is **ALWAYS PRIVATE** and not **PUBLIC**.
  - Under status block of forms, add [“non-resident non-person” \(Form #05.020\)](#) and check it.
  - Write “not valid, false, and fraudulent if signed attachment, \_\_\_\_ pages, is separated”.
  - Make every form into a counter offer and not an acceptance of any government offer or franchise. This is done by defining terms on the form to **FLIP** the roles so you are the merchant and **GOVERNMENT** is **ALWAYS** the **BUYER**. See [Form #09.015, Sections 5.6 through 5.8](#).

- More on government forms at:

*Avoiding Traps in Government Forms Course*, Form #12.023

<https://sedm.org/Forms/FormIndex.htm>



# ***Judicial Defenses***

- Always file under common law/court of record jurisdiction.
- NEVER petition franchise courts, such as Traffic Court, Tax Court, Family Court. They all assume:
  - You are a public officer.
  - You are in possession, use, and control of PUBLIC property and therefore subject to statutory regulation.
  - They are [Article IV](#) PROPERTY courts, not [Article III](#) CONSTITUTIONAL courts.
- If you are the respondent in a case against the government, file a cross complaint for violation of private rights and identity theft if the original complaint enforces a statutory obligation.
- Attach [Federal Pleading/Motion/Petition Attachment, Litigation Tool #01.002](#) for federal court.

# ***Summary and Conclusions***

- If we are all equal ([Form #05.033](#)) under REAL law ([Form #05.048](#)) and the government is one of delegated powers, then:
  - You have [sovereign immunity](#) and cannot waive it to give up private rights to a REAL government.
  - Every tactic they use to enforce against you and procure your consent you can also use against them under the concept of equal treatment at the heart of the constitution.
  - YOU have the right to recruit them by the same tactics that THEY recruit you---with your OWN anti-franchise franchises ([Form #06.027](#)).

# Further references

- **Administrative State**
  - **Sovereignty and Freedom Page**, Section 13.7:  
**Administrative State**  
[https://famguardian.org/Subjects/Freedom/Freedom.htm#Administrative\\_Law/State:](https://famguardian.org/Subjects/Freedom/Freedom.htm#Administrative_Law/State:)
- **Challenging the Administrative State**
  - **Lawfully Avoiding Government Obligations**, Form #12.040  
<https://sedm.org/Forms/FormIndex.htm>
  - **Proof of Claim: Your Main Defense Against Government Greed and Corruption**, Form #09.073  
<https://sedm.org/Forms/FormIndex.htm>
  - **Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction**, Form #05.017  
<https://sedm.org/Forms/FormIndex.htm>
  - **Federal Enforcement Authority Within States of the Union**, Form #05.032-how to challenge administrative state  
<https://sedm.org/Forms/FormIndex.htm>

# ***Further references***

- **PRIVATE Rights and Their Protection**
  - ***Enumeration of Inalienable Rights***, Form #10.002  
<http://sedm.org/Forms/FormIndex.htm>
  - ***Unconstitutional Conditions Doctrine Law Review Articles***  
Tax DVD, under \Franchises\UnconstCondit  
<https://sedm.org/reference/dvds/tax-dvd/>
- **Property and Separation of Private and Public**
  - ***Separation Between Public and Private***, Form #12.025  
<http://sedm.org/home/government-corruption/>
  - ***Foundations of Freedom, Video 3: Status, Rights, and Privileges***, Form #12.021  
SLIDES: <http://sedm.org/LibertyU/FoundOfFreedom-Slides.pdf>  
VIDEO: <http://www.youtube.com/watch?v=ymC1GPE0gss>

# ***Further references***

- **Corruption**

- **Government Corruption**, Form #11.401  
<http://sedm.org/home/government-corruption/>
- **De Facto Government Scam**, Form #05.043  
<http://sedm.org/Forms/FormIndex.htm>

- **Franchises**

- **Government Franchises Course**, Form #12.012  
<http://sedm.org/Forms/FormIndex.htm>
- **Government “Benefits” Scam**, Form #05.040  
<http://sedm.org/Forms/FormIndex.htm>
- **Government Instituted Slavery Using Franchises**,  
Form #05.030  
<http://sedm.org/Forms/FormIndex.htm>